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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,692	06/30/2000	James Alan Craig	95-430	8050

7590 11/12/2003

Leon R Turkevich Esquire
2000 M Street N W 7th Floor
Washington, DC 20036-3307

EXAMINER

PHAN, MAN U

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 11/12/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/606,692

Applicant(s)

Craig et al.

Examiner

Man Phan

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

--Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.

- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.

- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.

- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Jun 30, 2000

2a) ☐ This action is FINAL.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-40 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-5, 11-15, 18-25, 31-35, and 38-40 is/are rejected.

7) ☒ Claim(s) 6-10, 16, 17, 26-30, 36, and 37 is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

4) ☐ Interview Summary (PTO-413) Paper No(s). _____

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4, 5

6) ☐ Other:

DETAILED ACTION

1. The application of Craig et al. for a "Scalable voice over IP system providing independent call bridging for outbound calls initiated by user interface applications" filed 06/30/2000 has been examined. This application is a continuation in part (CIP) of 09/479,235 filed 01/07/2000. Claim 1-40 are pending in the application.

Drawings

2. The drawings are objected to because in Fig. 3A the reference (30) is shown while described as (40) in the specification (Page 7, lines 28). Reference (40) is shown in Fig. 3A while described as (42) in the specification (Page 8, line 26 and page 9, line 25). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-15, 33-35 and 1-5, 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cave et al. (US#6,404,746) in view of Korpi et al. (US#6,636,528).

With respect to claims 13-15 and 33-35, Cave discloses in Figs.4a-4d the block diagrams illustrated a packet Voice Response Unit (VRU) in the H.323 Voice over IP (VoIP) architecture, according to the essential features of the claims. The packet VRU system comprising an IP telephony gateway (810) configured for establishing RTP data stream connection according to H.323 protocol (Col. 14, lines 19 plus). It's noted that the H.323 protocol is a multimedia communications protocol developed by the International Telecommunications Union-Telecommunications Standardization Sector (ITU-T). The H.323 protocol describes endpoints and how they interact in a packet-based network. Cave further teaches for redirecting media within a packet network, in which media sent to VRU 800 is redirected to travel directly between the originating gateway 810 (IP gateway) and terminating gateway 812 (IP gateway), thus bypassing VRU 800. Once the called party is validated, application server 803 instructs CCS 802 to redirect the media streams. CCS 802 requests that originating gateway 810 and terminating gateway 812 send their respective RTP streams directly to each other, instead of to VMS 804. CCS 802 accomplishes this by tearing down RTP session 824 between originating gateway 810 and VMS 804, and by tearing down RTP session 830 between terminating gateway 812 and VMS 804. Only RTP sessions 824 and 830 are torn down; H.323 call 820 between

originating gateway 810 and VMS 804, and H.323 call 828 between terminating gateway 812 and VMS 804, are left connected (Col. 15, lines 20 plus).

Cave different from the claims in that the claims require the step of connecting the first and second RTP data streams in response to a call command from the subscriber and resuming the user interface session with the subscriber in response to a detected disconnect condition between the subscriber and the destination party. In the same field of endeavor, Korpi et al. (US#6,636,528) discloses a method of switching data in a telecommunication network with a switching device. The switching device is controlled by a first control unit. A first protocol signals control commands between a first control unit and a first terminal unit. The first control unit is connected to a second terminal unit via an interface unit. A second protocol different from the first protocol for signaling control commands between the interface unit and the second terminal unit is employed. Control commands are received at the interface unit from the control unit according to the first protocol are embedded into control commands according to the second protocol. The embedded control commands are sent to the second terminal unit. Control commands according to the first protocol from control commands received at the interface unit from the second terminal unit according to the second protocol are sent to the control unit (Fig. 4; Col. 2, lines 12 plus).

Regarding claims 1-5, they are method claims corresponding to the apparatus claims 13-15 and 33-35 above. Therefore, claims 1-5 are analyzed and rejected as previously discussed with respect to claims 13-15 and 33-35.

With respect to claims 21-25, these claims differ from claims Cave in view of

Korpi in that the claims recited a computer program product for performing the same basis of steps and apparatus of the prior arts as discussed in the rejection of claims 13-15 and 33-35 above. It would have been obvious to a person of ordinary skill in the art to implement a computer program product in Cave in view of Korpi for performing the steps and apparatus as recited in the claims with the motivation being to provide the efficient enhancement to the user interface application in a VoIP based communication services, and easy to maintenance, upgrade.

One skilled in the art would have recognized the need for effectively and efficiently providing user interface services in IP-based communications system, and would have applied Korpi's novel use of a switching device with terminal equipment that works according to different signaling protocols into Cave's teaching of the redirecting media using a packet voice response unit (VRU) in IP based communications. Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply Korpi's method for operating a switching device upon utilization of different signaling protocols and apparatus therefor into Cave's system and method for packet network media redirection with the motivation being to provide user interface services to a subscriber in IP-based communications system.

5. Claims 18-20, 38-40 and 11-12, 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cave et al. (US#6,404,746) in view of Korpi et al. (US#6,636,528) as applied to the claims above, and further in view of Gallant et al. (US#6,636,596).

With respect to claims 18-20 and 38-40, Cave et al. and Korpi et al. disclose the claimed limitations discussed in paragraph 4 above. These claims differ from the claims above in that the claims require the use of empty capability set message in response to the detecting disconnect condition and acknowledgment for reconnection. In the same field of endeavor, Gallant discloses a method and system for providing intelligent network control services in IP telephony, wherein the system includes a location manager and an IP telephony proxy server. The location manager includes an interface to a legacy telephony service control entity and the IP telephony proxy server includes an IP interface to the location manager. If the IP telephony proxy server requires intelligent network services, then the IP telephony proxy server sends an IP telephony session initiation request to the called party at the location manager. The location manager uses the information to query the legacy telephony service control entity for routing information. When the location manager receives a routing response from the service control entity, the location manager maps the response to an IP telephony session control message back to the IP telephony proxy server (See Fig. 3 and Col. 1; lines 55 plus).

Regarding claims 11-12, they are method claims corresponding to the apparatus claims 18-20 and 38-40 above. Therefore, claims 11-12 are analyzed and rejected as previously discussed with respect to claims 18-20 and 38-40.

With respect to claims 31-32, these claims differ from claims Cave and Korpi in view of Gallant in that the claims recited a computer program product for performing the same basis of steps and apparatus of the prior arts as discussed in the rejection of claims 18-20 and 38-40 above. It would have been obvious to a person of ordinary skill in the

art to implement a computer program product in Cave and Korpi in view of Gallant for performing the steps and apparatus as recited in the claims with the motivation being to provide the efficient enhancement to the user interface application in a VoIP based communication services, and easy to maintenance, upgrade.

One skilled in the art would have recognized the need for effectively and efficiently providing user interface services in IP-based communications system, and would have applied Gallant's intelligent network control services in IP telephony and Korpi's novel use of a switching device with terminal equipment that works according to different signaling protocols into Cave's teaching of the redirecting media using a packet voice response unit (VRU) in IP based communications . Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to apply Gallant's method of and system for providing intelligent network control services in IP telephony, Korpi's method for operating a switching device upon utilization of different signaling protocols and apparatus therefor into Cave's system and method for packet network media redirection with the motivation being to provide user interface services to a subscriber in IP-based communications system.

Allowable Subject Matter

4. Claims 16-17, 36-37 and 6-10, 26-30 are objected to as being dependent upon the rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

6. The following is an examiner's statement of reasons for the indication of allowable subject matter: The closest prior art of record fails to disclose or suggest the steps wherein the user interface resource outputs Non-Empty capability Set messages for the first and second RTP data streams to the IP telephony gateway across the H.245 channel, the IP telephony gateway in response initiating bridging of the first and second RTP data streams; wherein the IP telephony gateway initiates the bridging by sending an Open Logical Channel request to the user interface resource, the user interface resource in response sending an acknowledgment and media stream addresses for the first and second RTP data streams, the IP telephony gateway bridging the first and second RTP data streams based on the media stream addresses, as specifically recited in claims 16-17, 36-37; wherein the step of connecting the first and second RTP data streams includes closing the first and second RTP data streams to the user interface resource by sending to an IP telephony gateway, configured for establishing the first and second RTP data streams with the subscriber and the destination party, respectively, Empty Capability Set messages across an H.245 protocol channel for the first and second RTP data streams, respectively, wherein the IP telephony gateway in response closes the first and second RTP data streams to the user interface resource, as specifically recited in claims 6 and 26.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Kikinis (US#6,456,615) is cited to show the network telephony interface system between data network telephony and POTS.

The Ram et al. (US#6,625,258) is cited to show the system and method for providing unified communication services support.

The Christie, IV et al. (US#6,269,100) is cited to show the channel transfer with retrieve.

The Li et al. (US#6,636,508) is cited to show the network resource conservation system.

The Naudus et al. (US#6,259,691) is cited to show the system and method for efficiently transporting DTMF/MF tones in a telephone connection on a network-based telephone system.

The Richardson, Jr. et al. (US#5,943,403) is cited to show the customized, billing controlled call bridging system

The Mehrabanzad et al. (US#6,404,807) is cited to show the high speed dial-up service using PCM modem technology.

The Kuthyar et al. (US#5,909,431) is cited to show the packet mode multimedia conferencing services over an ISDN wide area network.

The Rose et al. (US#6,396,840) is cited to show the method, interface and system for connecting communication traffic across an intermediate network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Phan whose telephone number is (703)305-1029. The examiner can normally be reached on Mon - Fri from 6:30 to 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703)305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 872-9314, (for formal communications intended for entry)

Or: (703) 305-3988 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021

Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Mphan

11/07/2003.

Man u. phan